

until and unless one-third, at least, in frontage of the various lots or properties abutting on the streets or sidewalks of such district or section shall have been built up or improved for business or residential purposes: *Provided further*, that no assessment against any piece of property improved as in this act provided shall in any case exceed the amount of special benefit to or enhancement in value of said property by reason of said improvements, or twenty per cent of the assessed taxable value thereof; and where permanent street improvements shall be made, the property bearing such assessments shall not be assessed for permanent street improvement again until after the expiration of ten years from the date of the last preceding assessment: *Provided further*, that in case any street or part of a street laid out as a district for permanent improvement is of such unequal width as to render the plan of equalization of assessments, as above set out, unjust to any abutting property owner, then and in that case the board of aldermen are authorized to divide such district into subsections, and to apply the rule of equalization of assessments prescribed herein to such subsections, instead of to the entire district or section: and the board may make as many subsections as may be necessary to make a just distribution of the cost of permanent improvement made or to be made in such district. The cost of all such improvements for special benefits to property as estimated in the above manner shall be financed by the issue of bonds, and the levy of special tax to pay the same and the interest thereon, as hereinafter provided.

Proviso: limit of amount and time of assessment.

Proviso: subsections.

Bond issues and special tax.

Notice of hearing on assessments.

Persons under disability.

Right of appeal.

SEC. 78. That notice of the assessment or special benefits, by the board of aldermen, as herein elsewhere provided in this act, against abutting property on any street, sidewalk, or public alley in any such improvement district or section, shall be given at least once a week for four weeks in some daily newspaper published in the city of Wilmington, which notice shall state the time and place at which such assessments are to be made and determined; and shall notify all persons interested in any particular improvement district or section of such assessment to appear and show cause, if any, why such assessment shall not be made; and in the event the owner of such lot or lots be an infant, idiot, lunatic, or incompetent, then his general guardian, if he has such, shall act for him; if he has none, on application by the city it shall be the duty of the clerk of the Superior Court of New Hanover County to appoint a guardian *ad litem* to act for him or them. That any person who shall feel aggrieved by the findings of said board with reference to said assessment for such permanent improvements shall have the right within ten days after such findings of said board, and not after that time, to file his objections to such findings and to appeal from the decision of said board to the next term of New Hanover County